

Exhibit 5

UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

AARON JAMES and TIFFANY JAMES,
Heirs and Proposed Personal Representatives
of the Estate of Zane James,

Plaintiffs,

vs.

CASEY DAVIES, and COTTONWOOD
HEIGHTS;

Defendants.

**DECLARATION OF MICHAEL J.
PETERSON**

Case No. 2:19CV341 HCN DBP

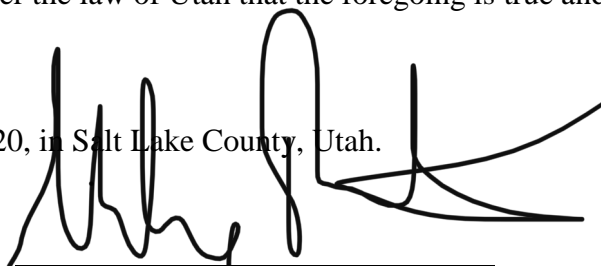
Judge Howard C. Nielson, Jr.
Magistrate Judge Dustin B. Pead

MICHAEL J. PETERSON declares as follows:

1. I am over the age of eighteen and have personal knowledge of the following.
2. I am the Mayor of Cottonwood Heights. I have held that office since January 2018.
3. I have not seen any video footage (body camera, dash camera, etc.) of the actual shooting of Zane James (as opposed to video footage following the shooting, including post-shooting response).
4. I did not speak to Tiffany James on August 4, 2020. In fact, I have not spoken to her since August 2, 2020.
5. I have never told Ms. James that Cottonwood Heights has or had video footage of the actual shooting of Zane James. I am not aware of any such footage and do *not* believe such footage exists.

I declare under criminal penalty under the law of Utah that the foregoing is true and correct.

DATED this 13th day of August, 2020, in Salt Lake County, Utah.

A handwritten signature in black ink, appearing to read 'Michael J. Peterson', written over a horizontal line.

Michael J. Peterson